

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE: § **CHAPTER 11**
REMARKABLE HEALTHCARE OF §
CARROLLTON LP, ET AL.,¹¹ § **CASE NO. 24-40605**
§
§
§
§
§
DEBTORS. § **(Joint Administration Requested)**

SUA SPONTE ORDER LIFTING THE AUTOMATIC STAY

The above-styled Debtors operate four skilled nursing facilities. On March 25, 2024, the Court conducted an emergency hearing on a motion by the Debtors to use the cash collateral of their lender, Alleon Capital Partners. No one objected to the Debtors' motion, and the Court granted it. Nonetheless, the Debtors advised the Court that there were insufficient funds to pay staff. The Debtors further advised the Court that the nursing staff at all facilities except the Seguin facility would not report to work that evening unless they were paid. The Debtors' landlord, Kilgore Property Management, LLC, KRS Carrollton, LLC, KRS Dallas, LLC, KRS Fort Worth, LLC, and KRS Seguin, LLC (collectively, "**Kilgore**"), represented that it was prepared to fund the Debtors to the extent and with the conditions set out on the record. The Debtors, however, refused Kilgore's proposal. Under these exigent circumstances, given the immediate threat to patient care at all the facilities except the Seguin facility, the Court found that cause existed to modify the automatic stay *sua sponte* pursuant to 11 U.S.C. §§ 105(a) and 362(d) as set forth herein. Accordingly,

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Remarkable Healthcare of Carrollton, LP (5960), Remarkable Healthcare of Dallas, LP (3418), Remarkable Healthcare of Fort Worth (1692), Remarkable Healthcare of Seguin, LP (4566), and Remarkable Healthcare, LLC (5142).

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The automatic stay under Bankruptcy Code § 362(a) shall be, and it hereby is, immediately modified to permit (i) each of the three landlords of the Debtors for the Carrollton, Dallas, and Fort Worth facilities, consisting of KRS Carrollton LLC, KRS Dallas LLC, and KRS Fort Worth LLC, (ii) any creditor counter-parties and agencies (including but not limited to West Wharton Hospital District) of and/or related to Remarkable Healthcare of Carrollton, LP (-5960), Remarkable Healthcare of Dallas, LP (-3418), Remarkable Healthcare of Fort Worth (-1692), and Remarkable Healthcare, LLC (5142) (collectively, the “**Subject Debtors**”) only, and specifically excluding Remarkable Healthcare of Seguin, LP (-4566), and (iii) any state or federal agencies, to exercise any rights and remedies or other action authorized under (a) any applicable contract, lease, or other agreement as to the Subject Debtors, or (b) under state or federal law as to the Subject Debtors, without further order or application to the Court.

2. The 10-day stay of Bankruptcy Rule 4001(a)(3) shall not apply, and the relief granted herein immediately is effective.

Signed on 03/26/2024

Brenda T. Rhoades SD
HONORABLE BRENDА T. RHOADES,
CHIEF UNITED STATES BANKRUPTCY JUDGE